

Remarks

This response is filed with a Request for Continued Examination. Reconsideration of the application, as amended on July 25, 2005, is respectfully requested.

The Office action of October 11, 2005, asserts that a shift claiming another invention after election has occurred. Applicant respectfully disagrees. All the claims as amended come within the scope of the original claims submitted. The amendment, if anything, narrows the scope of the claims as compared to those originally submitted. It is thus not possible for there to have been a shift in the invention claimed.

The action indicates that the amended claims lack features upon which the applicant relies. But this is incorrect. Each of claims 1, 16, and 18 were amended to include language such as “having a parking lot with designated spaces for parking, which designated parking spaces correspond to delivery locations for shipments present at the DS.” Applicant’s arguments thus clearly relate to the claims unless one ignores the language added by amendment.

The action newly cites Yamada as the basis for prior art rejections. Initially, Applicant does not admit that Yamada, which issued from an application filed on January 29, 1998, is prior art with regard to the present application. Even so Yamada does not show or suggest the presently claimed invention. The citation of Yamada ignores such claim language as “having a parking lot with designated spaces for parking, which designated parking spaces correspond to delivery locations for shipments present at the DS.” Applicant does not, for example, find any anything that suggests “designated spaces for parking, which designated parking spaces correspond to delivery locations for shipments present at the DS” in the Yamada patent. So the presently claimed invention is distinct for

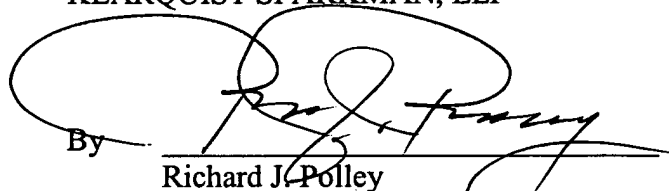
at least that reason. And Applicant most certainly does not admit that such designated spaces can be imagined to exist in a Yamada system by "common knowledge."

The citation of secondary references does not remove the gaps of Yamada disclosure, particularly the Porter patent which Applicant not admit to be prior art with regard to this application.

For these reasons, all the pending claims should be allowed.

Respectfully submitted,

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